Supreme Court, U.S.
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MICHAEL RODAK, JR., CLERK

APPENDIX

In the Supreme Court of the United States

OCTOBER TERM, 1979

No. 79-8

UNITED STATES OF AMERICA,
Petitioner

—*v.*—

HERMAN RADDATZ

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

PETITION FOR CERTIORARI FILED JULY 3, 1979
CERTIORARI GRANTED OCTOBER 1, 1979

In the Supreme Court of the United States

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—*v.*—

HERMAN RADDATZ

ON WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE SEVENTH CIRCUIT

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

No. 77 CR 325

UNITED STATES OF AMERICA

v.

HERMAN RADDATZ

DOCKET ENTRIES

DATE	PROCEEDINGS
3-31-77	Filed Indictment. (JS-2) hd
3-31-77	Order Indictment returned in open court; to issue Bench warrant and set bond at $25,000.00 CASH—PARSONS, C. J. hd
3-31-77	Issued Bench Warrant with copy of the Indictment to the United States Marshal. hd
4-14-77	Enter order dated 4/13/77: Defendant with counsel acknowledges receipt of the indictment waives formal reading and enters a plea of not guilty Hearing on motion to reduce bond is set for Thursday, April 14, 1977 at 9:00 a.m. LEIGHTON, J Mailed notices 4/14/77 pam
4-14-77	Filed Financial Affidavit. pam
4-14-77	Filed Appearance of Joan B. Gottschall as attorney for defendant. pam
4-14-77	Order appointing counsel. DRAFT LEIGHTON, J pam
4-14-77	Filed Appearance Bond in the amount of $25,000.00 $500.00 deposit with the clerk of the Court, receipt number 260741. pam
4-15-77	Enter Order Dated 4/14/77:

DATE PROCEEDINGS

It is ordered that the defendant's bond is set in the amount of $25,000.00 to be secured by the deposit of $500.00. The Defendant is to sign his bond for the entire amount of $25,000.00 and the bond is further to be signed by the following consignatories to the extent indicated. Leo Congenie, $1,000.00, Vince Marting—$1,000.00 and Dolores Radditz, $500.00. Conditions of bond being that he possess no firearms or dangerous weapons and the he refrain from all acts of violence; and that he enroll and participate in a drug abuse program, pending trial, as directed by the pre trial service office. DRAFT—LEIGHTON, J Mailed Notices 4/15/77. pam

4-15-77 Enter Order Dated 4/14/77:

Joan B. Gottschall a member of the Federal Defender Panel is appointed to represent the defendant herein. The parties are to hold their 22.04 conference on or before April 22, 1977. Pre trial motions to be filed on or before May 4, 1977. The Government's answer thereto to be filed on or before May 11, 1977. Cause is set for a report on status on May 13, 1977 at 10:00 a.m. LEIGHTON, J
Mailed Notices 4/15/77 pam

4-21-77 Filed Bench Warrant returned executed on 4/12/77 as to defendant Raddatz. pam

5-4-77 Filed notice of filing, motion to suppress statements, motion to strike surplusage from indictment and memorandum in support thereof. pam

5-4-77 Filed motion to dismiss the indictment and memorandum in support thereof. pam

5-16-77 Enter order dated 5/13/77:

The government is granted to May 20, 1977 in which to file their answer to the defendant's pre-trial motion. And cause is continued to May 27, 1977 to set ruling date on pretrial motions. The Appearing of the defendant is waived on said date. LEIGHTON, J
Mailed notices 5/16/77 pam

DATE PROCEEDINGS

5-25-77 Filed Government's response to defendant Herman Raddatz motion to strike surplusage from indictment.

5-25-77 Filed Government's response to defendant's motion to dismiss the indictment. tjf

5-27-77 Enter order dated May 27, 1977:

The reply of the defendant to Government's answer to pretrial motions shall be filed this date. The pre trial motions are under advisement and cause is continued to June 9, 1977. At 10:00 a.m.—LEIGHTON, J.
Mailed notices 5-27-77 tjf

5-27-77 Filed defendant's reply to government's response to motion to dismiss the indictment. tjf

6-17-77 Enter order dated June 16, 1977:

Cause is continued to June 20, 1977 at 10:00 a.m.—LEIGHTON, J.
Mailed notices 6-17-77 tjf

6-17-77 (a) Enter order dated June 9, 1977:

The above-captioned case is presently pending on my calendar. I recommend that it be referred to a magistrate of this court for a hearing on motion to suppress; and pursuant to 28 U.S.C. § 636(b)(1)(B), submit proposed findings and recommendations for disposition.—LEIGHTON, J.

(b) Enter order dated June 10, 1977:

It is hereby ordered that the above-captioned case be referred by lot to a Magistrate of this Court in accordance with the Rules.

Parsons, JC.—FOR THE EXECUTIVE COMMITTEE
Mailed notices 6-17-77 (reassigned to Magistrate Sussman) tjf

DATE	PROCEEDINGS

6-22-77 Enter order dated June 20, 1977:

Cause is continued to June 24, 1977 at 10:00 a.m. for ruling on pre-trial motions.—LEIGHTON, J.
Mailed notices 6-22-77 tjf

6-29-77 Enter order dated June 24, 1977:

This cause is continued to July 1, 1977 at 10:00 a.m. for status hearing.—LEIGHTON, J.
Mailed notices 6-29-77 tjf

7-6-77 Enter order dated July 1, 1977:

Cause called and status heard. Cause is continued to July 15, 1977 at 10:00 a.m. for further status hearings. —Leighton, J.
Mailed notices 7-6-77 tjf

7-6-77 Enter order dated July 1, 1977:

the cause is called for status hearing. Counsel for defendant responded. No one appeared on behalf of the United States. The motion to suppress is accordingly set for hearing on July 12, 1977, at 9:00 a.m. and counsel of record are required to attend.—Sussman, M.
Mailed notices 7-6-77 tjf

7-11-77 Filed Amended motion to suppress statements. mav

7-13-77 Enter order dated July 11, 1977:

Motion for leave to amend motion to suppress statements is granted. LEIGHTON J.
Mailed notices 7-13-77. mav

7-15-77 Enter order dated July 12, 1977:

Defendant's motion to suppress is called for hearing. Defendant is represented by Joan Gottschall of the Federal Defender Program. AUSA Kent moves for a continuance to July 26, 1977, which is the first available date when the Government's witnesses will be available to testify The motion for a continuance is granted and the hearing is hereby set for 8:45 a.m. on July 26, 1977. SUSSMAN M.
Mailed notices 7-14-77. mav

DATE	PROCEEDINGS

7-18-77 Filed defendant's objection to referral of hearing on motion to suppress to Magistrate. tjf

8-1-77 Enter order dated July 15, 1977:

Cause is continued to September 13, 1977 at 10:00 a.m. for a status hearing—LEIGHTON, J.
Mailed notices 7-25-77 tjf

8-1-77 Enter order dated July 28, 1977:

The parties, having rested their case in the hearing on defendant's motion to suppress, subject to a review within 10 days of certain materials by the United States, as agreed to by the parties, IT IS HEREBY ordered that each party submit proposed findings of fact and conclusions of law within 15 days of receipt of the transcript of proceedings of said hearing. The court will set a date certain for oral argument.—Sussman M.
Mailed notices 8-1-77 tjf

9-23-77 Enter order dated September 13, 1977:

Cause is continued to October 13, 1977 at 10:00 a.m. for a further status hearing.—LEIGHTON, J.
Mailed notices 9-13-77 hd

9-27-77 Enter order dated Sept. 23, 1977:

Enter order to extend time to file proposed findings and conclusions of law to and including Oct. 4, 1977. On motion of defendant.—Sussman, M.
Mailed notices 9-27-77 tjf

10-4-77 Filed defendant's motion to extend the time for filing brief in support of motion to suppress.

10-7-77 Enter order dated Oct. 4, 1977:

Defendant's motion for an extension of time granted time extended to 10-12-77.—Sussman, M.
Mailed notices 10-6-77 tjf

DATE	PROCEEDINGS

10-17-77 Enter order dated Oct. 12, 1977:

Motion to file memorandum in excess of 15 pages granted. —Sussman, M.
Mailed notices 10-14-77 tjf

10-18-77 Enter order dated October 13, 1977:

Status hearing held. Cause is continued to October 26, 1977 for further status hearing. Presence of the defendant is waived on this date. LEIGHTON, J.
Mailed notices 10-18-77 hd

10-25-77 Filed government's proposed finding of fact and law regarding suppression hearing conducted in the Magistrate's court between July 26, 1977 and July 28, 1977. tjf

11-3-77 Enter order dated Oct. 26, 1977:

Status hearing held. Cause is continued to November 16, to enable the magistrate to schedule a hearing on the defendant's pre-trial motion.—Leighton, J.
Mailed notices 11-2-77 tjf

11-7-77 Enter order dated November 3, 1977:

It is hereby ordered that the case above enumerated by and that hereby assigned to the calendar of Judge Nicholas J. Bua, effective 4 November 1977 subject to the terms and provisions of the General Order of the Executive Committee entered 2 November 1977. FOR THE EXECUTIVE COMMITTEE—Mc GARR, J hd

11-7-77 Enter order dated November 1, 1977:

Report and recommendation transmitted to Honorable George N. Leighton, United States District Court Judge. —SUSSMAN, Mg.
Mailed Notice 11-2-77 hd

11-7-77 Enter order dated November 1, 1977:

All matters relating to the referral of the above enttiled cause having been resolved the cause is returned to the assigned Judge for further proceedings.—SUSSMAN, Mg.
Mailed notices 11-2-77 hd

DATE	PROCEEDINGS

11-10-77 Enter order dated Nov. 4, 1977:

Excludable delay due to hearings on pre-trial motions began on 5-4-77 and ended on 5-27-77.—Bau, J.
Mailed notices 11-7-77 tjf

11-16-77 Enter order dated No. 4, 1977:

Excludable delay while defendant motion under advisement, began on 5-27-77 and ended on 6-26-77.—Bau, J.
Mailed notices 11-7-77 tjf

11-16-77 Enter order dated Nov. 10, 1977:

Status hearing and to set for trial set for Nov. 16, 1977 at 9:30 a.m.—Bau, J.
Mailed notices 11-11-77 tjf

11-21-77 Enter order dated 11/16/77:

Status hearing held. Status hearing continued to 12/8/77 at 3:30 p.m.—Bua, J.
Mailed notices 11/21/77 c

12-14-77 Enter order dated 12/8/77:

Defendant's motion objection to the referral to a magistrate of the motion to suppress will be denied and the motion to suppress the statements will also be denied. The Court accepts the recommendation of the magistrate and adopts the government's proposed findings of fact as the court's findings. (draft) Defendant's motion to dismiss is denied. Ruling on defendant's motion to strike surplusage from indictment is withheld. Trial is set for December 15, 1977 at 10:00 a.m.—Bua, J.
Mailed notices 12/13/77 c

12-13-77 Filed defendant's motion for discovery.

12-13-77 Filed defendant's motion for leave to file objections to the Magistrate's recommended findings of fact and for reconsideration of defendant's motion to suppress. tjf

DATE	PROCEEDINGS

12-15-77 Enter order dated Dec. 13, 1977:

Defendant granted leave to file objections to the Magistrate's recommended findings of fact on or by Dec. 15, 1977.—Bua, J.
Mailed notices 12-15-77 tjf

12-15-77 Filed defendant's objections to the Magistrate's recommended findings of fact and conclusions of law. tjf

12-16-77 Enter order dated Dec. 15, 1977:

Trial is reset to Dec. 27, 1977 at 10:00 a.m.—Bua, J.
Mailed notices 12-16-77 tjf

12-29-77 Enter order dated 12/27/77:

Trial is reset to 12/28/77.—Bua, J.
Mailed notices 12/29/77 c

12-28-77 Filed waiver of trial by jury. c

1-5-78 Enter order dated 12/28/77:

Trial begins—bench. Filed waiver of trial by jury. Stipulation will be filed and taken under advisement. Trial ruling set for 1/26/78 at 9:30 a.m.—Bua, J.
Mailed notices 1/5/78 c

1-12-78 Filed stipulation. tjf

1-24-78 Filed government's certificate of service.

1-24-78 Filed government's motion to reconsider this court's construction of Title 18, United States Code, Section 922(h). tjf

2-6-78 Enter order dated January 26, 1978

Defendant's objections to the Magistrate's findings is overruled. Defendant to respond to government's motion to reconsider construction of 18 USC 922(h) by or on January 31, 1978. Trial ruling is reset to February 6, 1978 at 9:30 AM.—Bua, J
Mailed notices 2-6-78. pwm

DATE	PROCEEDINGS

2-3-78 Filed defendant's supplemental points and authorities concerning the construction of 18 U.S.C. § 922(h).

2-7-78 Enter order dated 2/6/78:

Defendant's motions to dismiss the indictment and motion to strike surplusage from the indictment are denied. The court finds the defendant guilty count 1. Court enters judgment of guilty—count 1. (draft) Order cause referred to probation department for pre-sentence investigation. Sentencing set for 3/14/78 at 9:30 am.—Bua, J.
Mailed notices 2/7/78 c

3-6-78 Enter order dated 3-2-78:

Sentencing is reset to March 15, 1978 at 9:30 a.m.
BUA, J er
Mailed notices 3-6-78.

3-16-78 Enter order dated 3-15-78:

It is adjudged that the defendant is committed to the custody of the Attorney General for imprisonment for a term of FIVE (5) YEARS and for a study as described in 18 U.S.C. § 4205(d), the results of such study to be furnished this court within three months unless the court grants further time not to exceed three months, whereupon the defendant shall be returned to this court and the sentence of imprisonment herein imposed shall be subject to modification in accordance with 18 U.S.C. § 4205(c). The Court recommends said study be conducted at the Metropolitan Correctional Center.
(DRAFT)—BUA,J er

Status hearing is set for June 15, 1978 at 9:30 a.m.
BUA,J er
Mailed notices 3-16-78

3-15-78 Filed notice of Appeal regarding order dated 3-15-78. er

DATE	PROCEEDINGS

3-16-78 Forwarded copy of Notice of Appeal, copy of docket entries, and information sheet to the U.S.C.A., 7th Circuit. er

3-16-78 Issued Judgment and Probation/Commitment order, 3 copies to Probation and 2 copies to U.S. Marshal. er

3-21-78 Certified and transmitted to U.S.C.A.—7th Circuit complete record on appeal consisting of 1 volume of pleadings. er

3-20-78 Filed judgment and probation/commitment order returned executed by U.S. Marshal on March 15, 1978 to Metropolitan Correctional Center at Chicago, Ill. er

3-28-78 Enter order dated March 23, 1978

IT IS HEREBY ORDERED that the Clerk of the Court is to refund defendant's bond security in this case to the persons and in the amounts indicated in this Court's order of April 14, 1977 setting bond in this case, a certified copy of which is attached hereto. That order specifies that security was posted by Leo Congenie in the amount of $1,000.00, by Vince Martin in the amount of $1,000.00, and by Dolores Raddatz in the amount of $500.00 (DRAFT)—Bua,J
Mailed notices 3-28-78. pwm

3-27-78 Filed Certified copy of order from USCA dated March 22, 1978: Record on appeal will be filed with the Clerk on or before April 19, 1978. pwm

DATE	PROCEEDINGS

4-11-78 Enter order dated 4-10-78:

The order of this Court entered on March 23, 1978 respecting the return of bond security in this case is hereby vacated. It is hereby ordered that the $500.00 bond security posted in the above-captioned case be returned to the individual whom the records of this Court indicate posted the bond security, LEO CONGINIE. DRAFT, BUA,J er
Mailed notices 4-11-78

4-17-78 Filed transcript of proceedings dated July 26, 1977 held before Magistrate Carl B. Sussman. er

11-12-77 Filed Defendant's proposed findings of fact and memorandum in support; of his motion to suppress. er

4-19-78 Filed clerk's file copy of transcripts taken before Judge Bua on 1-26-78, 2-6-78 and 3-15-78.

4-20-78 Transmitted supplement to the record on appeal consisting of one volume of transcripts. eg

4-25-78 Filed transcript of proceedings dated 1-11-77 before Judge Leighton. er

4-27-78 Transmitted supplement to the record on appeal consisting of 1 vol. of transcripts. er

6-26-78 Enter order dated June 15, 1978

The defendant having been convicted upon his plea of not guilty of the offense of receiving a firearm which had been transported in interstate commerce, after having been convicted of a felony and having on March 15, 1978 having been committed to the custody of the Attorney General pursuant to 18 USC § 4205(c) for imprisonment for a term of five (5) years (the maximum period) and for a study as described in 18 USC § 4205 (d), and the defendant having been returned to this Court; and the Court having now received and considered the report of such study, IT IS ORDERED AND

DATE	PROCEEDINGS

ADJUDGED that the sentence of imprisonment heretofore imposed be affirmed, and on condition that the defendant be confined in the Metropolitan Correctional Center for a period of six months, the execution of the remainder of the sentence of imprisonment is hereby suspended and the defendant placed on probation for a period of 4½ years to commence upon the defendant's release from confinement, upon the following terms and conditions. The court recommends that defendant continue receiving psychological services begun during the period of observation and study. The court further recommends that defendant be referred to Operation DARE for placement in employment and should employment be secured during his period of confinement he may participate in a work release program. (DRAFT)—Bua, J

Mailed notices 6-16-78. JS-3 pwm

6-19-78 Issued 2 certified copies of judgment and probation/commitment order to US Marshal and 3 to probation. pwm

8-2-78 Clerk's file copy of transcript of proceedings, had before Judge Bua on November 16, 1977. Filed by Official Court Reporter. One volume. sa

8-3-78 Transmitted supplement to the record on appeal consisting of one volume of transcripts. sa

10-30-78 Filed certified copy of order from U.S.C.A., 7th Circuit, dated October 26, 1978, Docket No. 78-1350, ORDERED: The clerk of the district court is directed to certify and transmit to the clerk of this court, on or before October 30, 1978, the district court order of June 15, 1978 modifying the defendant-appellant's sentence, previously imposed on March 15, 1978. sa

10-31-78 Certified and transmitted supplement to the record on appeal to the U.S.C.A., 7th Circuit consisting of district court order of June 15, 1978 modifying the defendant-appellant's sentence previously imposed on March 15, 1978. sa

DATE	PROCEEDINGS

6-7-79 Filed 6/4/79 Opinion number 78-1350. ar

6-7-79 Filed 6/4/79 certified copy of order from the U.S.C.A. 7th. Cir. dated February 6, 1979. JUDGMENT of the U.S.D.C. is REVERSED AND REMANDED for a new hearing on the motion to suppress before the District Court Judge, in accordance with the opinion of this court filed this date.—Walther Cummings, C.J. ar

6-7-79 Record returned 6/4/79 from the U.S.C.A. 7th. Circuit consisting of one volume of pleadings, four volumes of transcripts, one envelope supplemental pleadings, and on envelope DC modified sentencing order. ar

10-26-79 Filed 10/23/79 Letter dated 10/5/79 from Miss June Hoffman, Assistant Clerk, Supreme Court of the United States, Washington, D.C. requesting transmittal of entire record in this case. ab

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JUDGE LEIGHTON

No. 77 CR 325

UNITED STATES OF AMERICA

v.

HERMAN L. RADDATZ

Violation: Title 18, United States Code,
Section 922(h)(1)

The MARCH 1977 GRAND JURY charges:

In or about early August, 1976, at Chicago, in the Northern District of Illinois, Eastern Division,

HERMAN L. RADDATZ,

defendant herein, having been convicted in Cook County, Illinois, on July 16, 1964, for the crimes of attempted murder, aggravated battery and theft (over $100.00); having been convicted on May 10, 1967, twice for the crime of armed robbery and once for the crime of attempted robbery; and having been convicted on August 17, 1972, for the crimes of aggravated battery and armed robbery, all crimes punishable by imprisonment for terms exceeding one year, knowingly did receive a firearm, namely, one Titan .25 caliber, semi-automatic pistol, serial number A21803, which firearm had been shipped and transported in interstate commerce;

In violation of Title 18, United States Code, Section 922(h)(1).

A TRUE BILL:

_____

Foreman

_____

United States Attorney
JJK:ja

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

No. 77 CR 325

UNITED STATES OF AMERICA

v.

HERMAN RADDATZ

GOVERNMENT'S PROPOSED FINDINGS OF FACT AND LAW REGARDING SUPPRESSION HEARING CONDUCTED IN THE MAGISTRATE'S COURT BETWEEN JULY 26, 1977 AND JULY 28, 1977

Now comes the UNITED STATES OF AMERICA, by THOMAS P. SULLIVAN, United States Attorney for the Northern District of Illinois, and, in response to the Magistrate Court's request for proposed findings of fact and law, states as follows:

1. Pursuant to Judge George N. Leighton's court order, a hearing was conducted in this Magistrate's Court from July 26, 1977 through July 28, 1977 regarding whether or not statements made by defendant Herman Raddatz should be suppressed.

2. Upon the conclusion of the hearing, this Court asked the government and the defense to submit proposed findings of fact and law.

3. Based upon the evidence received, the credibility of the witnesses, and the state of the law, the government proposes the following findings to this court:

a. The Chicago Police had probable cause to arrest Raddatz on July 8, 1976 when, in responding to a radio message regarding a robbery in progress, they observed Raddatz, whom they knew to have prior convictions for robbery, with a loaded pistol in his hand, standing over a James Batson, who was bleeding from the head. (Tr. 33, 36-37).

b. Chicago Police Officer Monroe Vollich advised Raddatz of his constitutional rights to counsel and to remain

silent on August 8, 1976 after he was arrested. (Tr. at 4-5, 29-30).

c. Raddatz' initial statement on August 8, 1976 that he hit Batson was volunteered by Raddatz while the police were questioning Batson. (Tr. at 13-14, 26-27).

d. The statements made by Raddatz on August 8, 1976 were voluntary. They were made after his lawful arrest. In addition, they were made either after he had been advised of his constitutional rights and waived those rights, or they were volunteered before being advised of his rights but not in response to police interrogation.

e. Raddatz was not in custody on either November 19, 1976 or January 12, 1977 when he made additional statements to federal agents. Therefore, there was no need for federal agents to advise him of his constitutional rights to counsel and to remain silent on these dates since the Supreme Court has recently enuciated a "custodial" rather than a "focal" test to determine when a person must be advised of his constitutional rights. *Beckwith* v. *United States*, 96 S. Ct. 1612 (1977). Raddatz' November 19, 1976 statement was given at his home. Raddatz' January 12, 1977 statement was given at the offices of the Bureau of Alcohol, Tobacco, and Firearms (ATF) after he called those offices and stated that he wished to make a further statement. Despite the non-custodial setting, Agent Paul Russell of the Bureau of Alcohol, Tobacco and Firearms (ATF) advised Raddatz of his constitutional rights to counsel and to remain silent prior to Raddatz' making any statements on November 19, 1976 and January 12, 1977. (Tr. at 33-38; Exhibit 1) After being advised of his constitutional rights, Raddatz, who has eight prior felony convictions (Tr. 123-25), knowingly and intentionally waived these rights and thereafter provided statements on November 19, 1976 and January 12, 1977.

f. Federal agents never advised Raddatz that charges against him would be dismissed if he would cooperate with the federal government (Tr. at 160-62).

g. Raddatz was told by ATF agents that any cooperation which he provided would be brought to the attention

of the United States Attorney's Office. (Tr. at 165, 222-23)

h. The only apparent effort by Raddatz to cooperate occurred on January 12, 1977, after he made his final statement to federal agents, when he directed ATF Agent Richard McCulloch to a house, which he stated was a place where firearms were traded. Efforts by Agent McCulloch to confirm Raddatz' representations were unproductive. Raddatz never attempted to arrange a transaction for the purchase of firearms nor did he attempt to introduce undercover agents to anyone unlawfully dealing in firearms. (Tr. at 199-203, 228-29, 234-39)

i. The statements made by Raddatz on November 19, 1976 and January 12, 1977 were voluntary.

WHEREFORE, the government moves that the Magistrate Court adopt its proposed findings of fact and law.

Respectfully submitted,

THOMAS P. SULLIVAN
United States Attorney

JJK:dr

SUPREME COURT OF THE UNITED STATES

No. 79-8

UNITED STATES, PETITIONER

v.

HERMAN RADDATZ

ORDER ALLOWING CERTIORARI

Filed October 1, 1979

The petition herein for a writ of certiorari to the United States Court of Appeals for the Seventh Circuit is granted.

☆ U. S. GOVERNMENT PRINTING OFFICE: 1979 304958 110